



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

September 8, 2009

REPLY TO THE ATTENTION OF
E-19J

Honorable Susan L. Biro, Chief ALJ
Office of Administrative Law Judges
U. S. Environmental Protection Agency
Ariel Rios Building, Mailcode: 1900L
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

RE: In The Matter of: SuperClean Brands, Inc.
 Docket Number: EPCRA-05-2009-0016
 Hearing Date: November 17, 2009

Dear Judge Biro:

This letter serves as a confirmation for the Order Granting Motion to Schedule a Hearing to commence at 9:30 a.m. on Tuesday, November 17, 2009 and continuing if necessary through Friday, November 20, 2009 in St. Paul, Minnesota.

Location of Hearing: Warren E. Burger Federal Building and United States Courthouse
316 North Robert Street
St. Paul, MN 55101-1460
Edward J. Devitt Courtroom (1st Floor)

Contact Person: Michael Vicklund
 United States District Court
 St. Paul Division Manager
 Clerk's Office, Suite 100
 651-848-1106
 michael_vicklund@mnd.uscourts.gov

Court Reporter: Janet Shaddix & Associates
 9100 West Bloomington Freeway, Suite 122
 Bloomington, MN 55431
 Office: 952-888-7687
 Home: 952-888-9187
 Fax: 952-888-2711
 Janet's Cell: 612-385-6844
 katherine@janetshaddix.com

If you have any questions, please contact La Dawn Whitehead, Regional Hearing Clerk at (312) 886-3713.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Walts', is positioned above the typed name.

Alan Walts, Acting Director
Office of Enforcement and Compliance Assurance

Enclosure

cc: Sherry L. Stenerson, Esquire
General Counsel
SuperClean Brands, Inc.
1380 Corporate Center Curve, Ste 200
Eagan, Minnesota 55121-1202
(651) 405-7718

Terence Stanuch, Esquire
Office Regional Counsel
U.S. EPA - Region 5
77 W. Jackson Blvd. C-14J
Chicago, Illinois 60604-3590
(312) 886-8044



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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AUG 06 2009

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

In the Matter of:

SUPERCLEAN BRANDS, INC.,

Respondent.

)
)
) Docket No. EPCRA-05-2009-0016
)
)

ORDER SCHEDULING HEARING

A review of the file reflects that the prehearing exchange process in this case has been completed and all pending motions have been ruled upon. Therefore, the case is ripe for scheduling for hearing.

Agency policy strongly supports settlement. Therefore, the parties are directed to hold another settlement conference on or before **August 14, 2009** and attempt to reach an amicable resolution of this matter. The Complainant shall file a status report regarding such conference and the status of settlement on or before **August 17, 2009**.

In the event the parties have failed to reach a settlement by that date, they shall strictly comply with the requirements of this Order and prepare for a hearing. In connection therewith, on or before **August 31, 2009**, the parties shall file a Joint Set of Stipulated Facts, Exhibits, and Testimony. The time allotted for the hearing is limited. Therefore, the parties must make a good faith effort to stipulate, as much as possible, to matters which cannot reasonably be contested so that the hearing can be concise and focused solely on those matters which can only be resolved after a hearing.

All pre-hearing motions, such as motions to amend and motions in limine, must be filed on or before **September 11, 2009**.

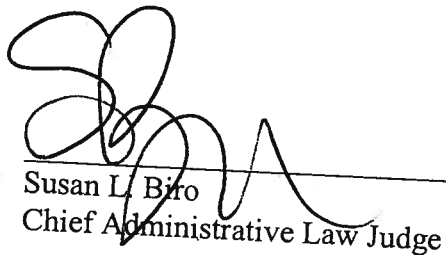
The parties may, if they wish, file prehearing briefs. The deadline for filing such briefs is Friday, **November 6, 2009**. A copy of the briefs should be faxed and/or hand-delivered to the undersigned by that date. The Complainant's brief should specifically state each count of the Complaint, and each claim therein, which are to be tried at the hearing and indicate which counts/claims are not. Each Respondent's brief should identify each of the defenses that Respondent intends to pursue at the hearing.

The Hearing in this matter will be held beginning promptly at 9:30 a.m. on Tuesday, November 17, 2009 in St. Paul, Minnesota, continuing if necessary, on November 18-20, 2009. The Regional Hearing Clerk will make appropriate arrangements for a Courtroom. The parties will be notified of the exact location and of other procedures pertinent to the hearing when those arrangements are complete.

Individuals requiring special accommodations at the hearing, including wheelchair access, should contact the Regional Hearing Clerk, as soon as possible so that appropriate arrangements can be made.

RESPONDENTS ARE HEREBY ADVISED THAT FAILURE TO APPEAR AT THE HEARING, WITHOUT GOOD CAUSE BEING SHOWN THEREFOR, MAY RESULT IN A DEFAULT JUDGMENT BEING ENTERED AGAINST IT.

IF ANY PARTY DOES NOT INTEND TO ATTEND THE HEARING OR HAS GOOD CAUSE FOR NOT BEING ABLE TO ATTEND THE HEARING AS SCHEDULED, IT SHALL NOTIFY THE UNDERSIGNED AT THE EARLIEST POSSIBLE MOMENT.


Susan L. Biro
Chief Administrative Law Judge

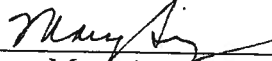
Dated: August 4, 2009
Washington, D.C.

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In the Matter of *SuperClean Brands, Inc.*, Respondent.
Docket No. EPCRA-05-2009-0016

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Scheduling Hearing**, dated August 4, 2008, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

LaDawn Whitehead
Regional Hearing Clerk
U.S. EPA, Region V, MC-E-13J
77 West Jackson Blvd., 13th Floor
Chicago, IL 60604-3590
Fx: 312.886.3713

Copy by Facsimile and Pouch Mail to:

Terence Stanuch, Esq.
Associate Regional Counsel
U.S. EPA / Region V
77 West Jackson Blvd., C14-J
Seattle, WA 98101
Fx: 312.886.3713

Copy by Facsimile and Regular Mail to:

Sherry L. Stenerson, Esq.
General Counsel
SuperClean Brands, Inc.
1380 Corporate Center Curve, Suite 200
Fx: 651.405.7776

Dated: August 4, 2009

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